

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

CAPITOL INDEMNITY
CORPORATION,

Plaintiff,

vs.

REFLECTIONS ACADEMY, INC.,
MICHELLE MANNING, CHAFFIN
PULLAN, and CAMERON PULLAN,

Defendants.

CV 21–57–DLC

ORDER

Before the Court is Defendants Chaffin Pullan and Cameron Pullan’s Motion to Set Aside Default. (Doc. 17.) The Motion states that the Pullans do not have the financial means to hire an attorney. (*Id.* at 1.) They signed an agreement accepting “court documents” by mail, after which they “were under the impression [they] had complied with the paperwork.” (*Id.* at 2.) They each received a letter on October 5, 2021, informing them that they failed to answer by the filing deadline. (*Id.*) They claim that the failure to answer “was inadvertent” and state that they “in good faith would like to get the paper or letter submitted expediently.” (*Id.*)

Plaintiff Capitol Indemnity Corporation filed a response indicating that it does not object to the Court setting aside the Pullans' default provided the Court order them to file an answer to the complaint by October 22, 2021 and to respond to Plaintiff's pending summary judgment motion by November 1, 2021. (Doc. 20 at 1.)

The Court finds that good cause exists to set aside the entry of default against Chaffin Pullan and Cameron Pullan. Fed. R. Civ. P. 55(c). The Pullans are proceeding pro se, and their motion demonstrates that they misunderstood their responsibilities after receiving and signing waivers of service. Because the Pullans will be served with this Order by mail, it is unrealistic to order them to answer the complaint by October 22. Accordingly,

IT IS ORDERED that the Motion to Set Aside Default (Doc. 17) is GRANTED.

IT IS FURTHER ORDERED that Chaffin Pullan and Cameron Pullan shall each file a response to the Complaint (Doc. 1) on or before October 29, 2021.

IT IS FURTHER ORDERED that Chaffin Pullan and Cameron Pullan shall each file a response to Plaintiff's Motion for Summary Judgment (Doc. 11) on or before November 12, 2021.

The Clerk of Court is directed to serve this Order and a copy of the Guide for Filing in the United States District Court for the District of Montana for Self-

Represented Litigants on Chaffin Pullan and Cameron Pullan by mail at the following addresses provided in their Motion to Set Aside Default (Doc. 17):

Chaffin J. Pullan
285 N 2680 W
Hurricane, UT 84737

Cameron T. Pullan
24405 Mockingbird Place
Lake Forest, CA 92630

The Clerk of Court is further directed to email electronic courtesy copies of this Order to the following email addresses provided by Chaffin Pullan:

ckaap@gmail.com
ckaaap@gmail.com

DATED this 19th day of October, 2021.



Dana L. Christensen, District Judge
United States District Court